

# 7/ Suppl.  
T. D. S

PATENT

31011 U.S. PRO  
10/086062  
02/28/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Jilka, et al.  
SERIAL NO : 09/590,558  
FILED : June 9, 2000  
TITLE : NOVEL PLANT PROMOTER SEQUENCES AND METHODS OF USE  
FOR SAME

Grp./A.U. : 1635  
Examiner : Epps, J.  
Docket No. : P04532US0

**SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT  
BEFORE MAILING DATE OF EITHER A FINAL ACTION  
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This information disclosure statement is being filed *before* the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first.

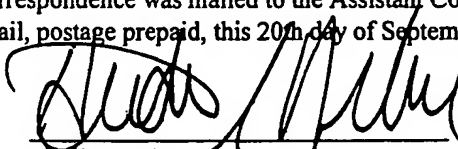
Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

Applicants elect the option to pay the fee set forth in 37 C.F.R. sec 1.17(p) for submission of an information disclosure statement under § 1.97(c). A check in the amount of \$240.00 is enclosed. Applicants were trying to obtain copies of priority documents and request that the fee be waived.

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CERTIFICATE OF MAILING

I hereby certify that the above correspondence was mailed to the Assistant Commissioner for Patents, Washington, D.C. 20231, as First Class mail, postage prepaid, this 20th day of September, 2001.

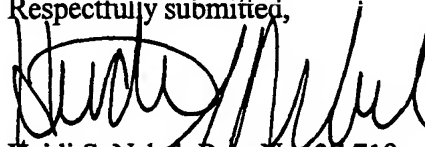
  
Heidi S. Nebel

Authorization is hereby made to charge any additional fees required by this paper or credit any overpayment to Deposit Account 26-0084. A duplicate of this paper is attached.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Respectfully submitted,



Heidi S. Nebel, Reg. No. 37,719  
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Attorneys of Record

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P04532US0

J1011 U.S. PRO  
10/086062  
02/28/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JILKA, Joseph M. et al. ART UNIT: 1645  
SERIAL NO: 09/590,558  
FILED: June 9, 2000  
TITLE: NOVEL PLANT PROMOTER SEQUENCES AND METHODS OF USE  
FOR SAME.

INFORMATION DISCLOSURE STATEMENT

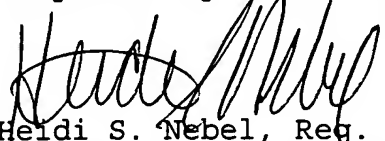
#6 / K.T.  
I.D.S.

Assistant Commissioner for Patents  
Box No Fee  
Washington, D.C. 20231

Dear Sir:

Attached is Form PTO-1449 listing the relevant art known to the applicant herein. Copies of the listed references are enclosed. The Examiner is requested to consider the references and make them of record.

Respectfully submitted,


  
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CERTIFICATE OF MAILING

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Assistant Commissioner for Patents, Box No Fee, Washington, D.C. 20231, on this 1 day of October, 2000.

  
Heidi S. Nebel

10/086062

U.S. PATENT DOCUMENTS

**FOREIGN PATENT DOCUMENTS**

**Examiner  
Signature**

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Form PTO/SB/08B (08-00)  
U.S. Patent and Trademark Office

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	2	of	2
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<b>Applicati n Number</b>	09/590,558
<b>Filing Date</b>	June 9, 2000
<b>First Named Inventor</b>	Jilka, Joseph M.
<b>Group Art Unit</b>	1635
<b>Examiner Name</b>	Epps, J.
<b>Attorney Docket Number</b>	P04532US0

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

(Information Disclosure Statement - Section 2. FORM PTO - 1449 (Modified)  
[ 1 ] Sheet - of - [ 1 ]

Section 2. Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT  
(Use several sheets if necessary)  
(37 CFR 1.98(b))

ATTY. DOCKET NO. P04532US0  
SERIAL NO. 09/590,558  
APPLICANT JILKA, Joseph M. et al.  
FILING DATE June 9, 2000  
GROUP 1645

31011 U.S. PTO  
10/086062  
02/28/02

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,054,574	04/25/00	QUAIL ET AL.	536	24.1	06/09/98
	5,510,474	04/23/96	QUAIL ET AL.	536	24.1	08/25/94

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

DOCUMENT NUMBER	PUBLI- CATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO
EP 0 342 926 A2	11/23/89	EUROPEAN PATENT OFFICE	C12 N	15/20	X

OTHER DOCUMENTS (Including Author, Title, Date\*\*, Relevant Pages, Place of Publication\*\*\*)

LOPES, Mauricio A. et al. "Synthesis of an Unusual $\alpha$ -Zein Protein is Correlated With the Phenotypic Effects of the <i>Foury2</i> Mutation in Maize", <i>Mol. Gen. Genet.</i> , 1994, Vol. 245, pp. 537-547.
COLEMAN, Craig E. et al., "Expression of a Mutant $\alpha$ -Zein Creates the <i>Foury2</i> Phenotype in Transgenic Maize", <i>National Academy of Sciences</i> , 1997, Vol. 94, pp. 7094-7097.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.